

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION**

FILED  
03 NOV 13 AM 10:36  
U.S. DISTRICT COURT  
N.D. OF ALABAMA

**UNITED STATES OF AMERICA,**

**v.**

**RICHARD M. SCRUSHY,  
Defendant.**

**CR-03-BE-0530-S**

*js*  
**ENTERED**

NOV 13 2003

**ORDER**

Upon motion of the United States and defendant Richard M. Scrushy to vacate the Court's discovery schedule, filed November 7, 2003, the Court makes the following finding and enters the following orders:

It is hereby ORDERED that the Court's scheduling order be and hereby is amended to vacate the requirement that pretrial motions be filed by November 14, 2003.

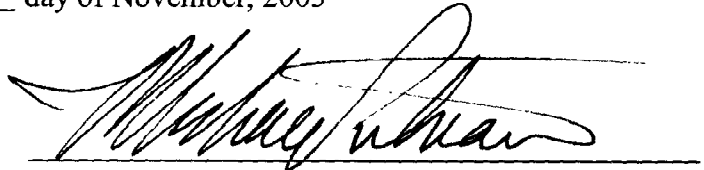
It is hereby ORDERED that the filing of the defendant's initial Rule 16 discovery request contemplated in the aforesaid motion, and the government's reciprocal requests, does not bar either party from making further Rule 16 requests up to December 1, 2003.

It is hereby ORDERED that the parties shall appear before the undersigned on December 9, 2003, at 9:00 am, to report the progress of production, to arrange for a further discovery schedule, and to set a schedule for pretrial motions and for a trial date.

Due to the foregoing, and for the reasons stated in the aforesaid joint motion, the Court FINDS that the volume of discovery to be exchanged between the parties is and will be large, and will take time to be exchanged and analyzed, and further FINDS, pursuant to Title 18, *United States Code*, Section 3161 (h)(8)(A), that this exchange and analysis and the ends of justice requires a continuance of the trial date, and that such action outweighs the best interest of the public and the defendant in a speedy trial. For the same reasons, the Court ORDERS that the period of time between the defendant making the discovery request contemplated in the aforesaid

joint motion, and December 9, 2003, be excluded from any calculation of speedy trial time under Title 18, United States Code, Section 3161, without prejudice to the rights of either party to seek further exclusions.

Done, this the 12<sup>th</sup> day of November, 2003

A handwritten signature in black ink, appearing to read "T. Michael Putnam", written over a horizontal line.

T. MICHAEL PUTNAM  
United States Magistrate Judge